

JOURNAL OF THE SENATE (May 4, 1973)

STATE OF WISCONSIN  
**Senate Journal**  
**Eighty-First Regular Session**

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FRIDAY, May 4, 1973.

9:00 A.M.

The senate was called to order by the president pro tempore of the senate.

Prayer was offered by Senator J. Swan.

The senate remained standing and Senator Roseleip led the senate in the pledge of allegiance to the flag of the United States of America.

By request of Senator Roseleip, with unanimous consent, the calling of the roll was dispensed with.

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INTRODUCTION OF RESOLUTIONS

**Senate Resolution 19**

To amend senate rule 7 (2), relating to the time for rendering a decision on points of order taken under advisement.

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Analysis by the Legislative Reference Bureau

In the senate rules as adopted by 1973 Senate Resolution 7, the presiding officer may defer his decision on a point of order until "the 5th order of business on the 2nd legislative day" to enable him to examine into the precedents.

This resolution would require the presiding officer to rule on all points of order immediately, unless he is given consent by a majority of the senate to take a point of order under advisement, and in that case the senate may not authorize more than 24 hours; at the end of the authorized time period, the point of order is to be decided by majority vote of the senate.

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Resolved by the senate, That:

**SECTION 1.** Senate rule 7 (2), as adopted by 1973 Senate Resolution 7, is amended to read:

Senate Rule 7 (2) Whenever a point of order is raised, the presiding officer may rule thereon forthwith, or with the consent of a majority of the senate may defer his decision not later than the 5th order of business on the 2nd legislative day to exceed 24 hours to enable him to examine into the precedents. In the case of questions involving the germaneness of amendments if the presiding officer does not rule within the required period of time, not to exceed 24 hours, given him by a majority of the senate, such amendment amendments shall be considered germane. Other questions not ruled on within the required period of time, not to exceed 24 hours, given him by a majority of the senate, shall be decided by a majority of the senate.

**SECTION 2. Printing of engrossed senate rules.** Within one week from the adoption of this resolution the chief clerk, if at that time there are no other senate resolutions pending to change the senate rules which, in the judgment of the chief clerk, will probably be agreed to by the members of the senate so as to further change the senate rules, shall cause the printing of this resolution as adopted by the senate, and incorporating the entire text of the senate rules. The document so printed shall be deemed the engrossed copy of this resolution.

By Senators Petri, Steinhilber, Lorge, Kasten, Devitt, Hollander, Theno, Johnson, J. Swan, Keppler, Roseleip, LaFave, Bidwell, Chilsen, Murphy, Knutson and Krueger.

Read and referred to calendar of May 11, 1973.

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### BILLS INTRODUCED

Read first time and referred:

#### **Senate Bill 541**

Relating to furnishing water and sewer service to private property from the Grand Army home for veterans at King.

By Senators Lorge and Roseleip, cosponsored by Representative Byers.

To committee on Governmental and Veterans' Affairs.

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### **Senate Bill 542**

Relating to optional marital inheritance tax exemption.

By Senators Steinhilber, Hollander, Knutson, Petri, Kasten, Lorge and Johnson.

To Joint Survey Committee on Tax Exemptions.

### **Senate Bill 543**

Relating to exemptions from sales and use taxes for fuel and electricity used in manufacturing.

By Senators Kasten, Murphy, Petri and Steinhilber.

To Joint Survey Committee on Tax Exemptions.

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## COMMITTEE REPORTS

The committee on Natural Resources reports and recommends for introduction:

### **Senate Bill 544**

Prohibiting the baiting of bear.

Introduction; Ayes, 5; Noes, 0.

Read first time and referred to committee on Natural Resources.

CLIFFORD W. KRUEGER  
Chairman

The committee on Judiciary and Insurance reports and recommends:

### **Senate Bill 116**

Relating to real property actions.

Passage; Ayes, 5; Noes, 0.

### **Senate Bill 155**

Relating to security for costs, suit tax, service and clerk's fees for indigents represented by federally funded organizations.

Passage; Ayes, 4; Noes, 1.

### **Senate Bill 332**

Relating to valuation and appraisal of certain property in estates and filing of inheritance tax information.

Passage; Ayes, 4; Noes, 1.

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### **Senate Bill 353**

Relating to credit card crimes and providing penalties.

Passage; Ayes, 5; Noes, 0.

GERALD D. LORGE

Chairman

The committee on Governmental and Veterans' Affairs reports and recommends:

### **Senate Resolution 13**

Requesting an opinion of the attorney general on the constitutionality of section 59.12 in regard to the appointment rather than the election of county surveyors.

Adoption; Ayes, 5; Noes, 0.

### **Senate Joint Resolution 44**

To amend article XIII, section 12 of the constitution, relating to recall of elective officers (1st consideration).

Adoption; Ayes, 5; Noes, 0.

### **Senate Bill 277**

Relating to authorizing counties having a population of 500,000 or more to create a department of public safety.

Adoption of senate substitute amendment 1; Ayes, 5; Noes, 0.

Passage as amended; Ayes, 5; Noes, 0.

### **Senate Bill 259**

Relating to registration requirements for architects.

Introduction of senate amendment 1; Ayes, 4; Noes, 1.

Passage; Ayes, 4; Noes, 1.

### **Senate Bill 445**

Relating to flood plain zoning definitions.

Passage; Ayes, 5; Noes, 0.

### **Assembly Bill 191**

Relating to the effect of certain municipal annexations on legislative districts.

Concurrence; Ayes, 5; Noes, 0.

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**Assembly Bill 493**

Relating to initial registration of voters.

Concurrence; Ayes, 3; Noes, 0.

GORDON W. ROSELEIP  
Chairman

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MESSAGE FROM THE ASSEMBLY

By Thomas S. Hanson, chief clerk.

Mr. President:

I am directed to inform you that the assembly has Adopted and asks concurrence in:

Motions Under Joint Rule 26:

A Joint Certificate of Commendation by Representatives Gower and Quinn; cosponsored by Senator Petri for CHARLES LEONARD FITCH on his resignation from the position of news director of WFRV-TV, Green Bay; and

A Joint Certificate of Condolence by Representatives Vanderperren and Otte; cosponsored by Senators Keppler, Hollander and Roseleip for MRS. ERNA MULLOY AND FAMILY on the death of Horace P. Mulloy.

and

Passed and asks concurrence in:

**Assembly Bill 128**

**Assembly Bill 663**

**Assembly Bill 689**

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MESSAGE FROM THE ASSEMBLY CONSIDERED

Motions Under Joint Rule 26:

A Joint Certificate of Commendation by Representatives Gower and Quinn; cosponsored by Senator Petri for CHARLES LEONARD FITCH on his resignation from the position of news director of WFRV-TV, Green Bay; and

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A Joint Certificate of Condolence by Representatives Vanderperren and Otte; cosponsored by Senators Keppler, Hollander and Rosleip for MRS. ERNA MULLOY AND FAMILY on the death of Horace P. Mulloy.

The above motions were read and concurred in en masse.

### **Assembly Bill 128**

Relating to the creation of pollutant discharge elimination system, granting rule-making authority and providing penalties.

By Representatives ANDERSON, MITTNESS, EARL and WAHNER; co-sponsored by Senators KRUEGER and RISSER.

Read first time and referred to committee on Natural Resources.

### **Assembly Bill 663**

Relating to population estimating by the department of administration.

By Representatives JACKAMONIS, RUTKOWSKI, NAGER, OPITZ and NIEBLER; co-sponsored by Senator MURPHY, by request of the Department of Administration.

Read first time and referred to committee on Governmental and Veterans' Affairs.

### **Assembly Bill 689**

Relating to filling mid-term vacancies on the Milwaukee county board of supervisors.

By Representatives SENSENBRENNER and CONTA.

Read first time and referred to committee on Governmental and Veterans' Affairs.

By request of Senator J. Swan, with unanimous consent, senate amendment 1 and senate amendment 1 to senate amendment 1 to Assembly Bill 225 were laid on the table.

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## AMENDMENTS OFFERED

Senate amendment 9 to Assembly Bill 225 by Senator J. Swan.

Senate amendment 1 to Senate Bill 475 by Senator Knutson.

Upon motion of Senator Roseleip the senate adjourned until 10:00 A.M. Tuesday, May 8.